

REMARKS

Applicants have canceled claims 1 through 25 and replaced them with claims 26 through 55.

The Rejections Under 35 USC Section 102

Claims 1-8, 10-13, 16, 17, and 22-25 had been rejected under 35 USC Section 102 as being anticipated by US Patent No. 5,318,737 ("Traubert '737"). Applicants respectfully traverse the rejection and request consideration of these claims. Applicants believe the rejection to be in error insofar as Traubert '737 does not pertain to a plastic sheet product having a matte finish. All claims of the present invention are directed to a plastic sheet product *having a matte finish*. The matte finish is an essential aspect of the invention; the very novelty of the invention resides in providing a sheet product that has a matte finish, emulating, for example, frosted glass in a novel way that overcomes shortcomings of known methods such as of attaining a matte finish. Traubert '737, by contrast is directed to a basic capstock composition, containing rubber modified particles, formed by coextrusion most likely for use as a protective layer which shields the substrate from sunlight and the elements. Crucially, the composition of Traubert have a smooth surface; furthermore, if the cap layer of the Traubert composition was removed, the underlying substrate would in fact be transparent.

The Rejections Under 35 USC Section 103

Claims 9, 14, 15 had been rejected under 35 USC Section 103(a) as being anticipated by US Patent No. 5,318,737 ("Trabert '737"). Applicants respectfully traverse the rejection and request consideration of these claims. Applicants believe the rejection to be in error because Trabert is concerned with the manufacture of a plastic product having a protective capstock layer which, as described above, is intended to protect the substrate from the elements. Furthermore, it has not been obvious to one skilled in the art to modify the particle size in the belief that larger particle size would result in low or matte finish. In fact, prior to the time of the invention the standard technique for achieving a matte finish on an extruded product was through embossing. Since nothing in Trabert '737 suggests a product having a matte finish, the achievement of such a finish by modifying the filler size would not have been obvious to one ordinarily skilled in the art.

Similar reasoning applies to the rejections of Claims 18-21 as obvious over the combination of Jacobs (U.S. Patent No. 6,225,407) and Trabert. The difference in refractive indices mentioned in Jacobs as producing transparency does not affect the crucial distinction that the blends of Trabert are not concerned with the production of a product with matte finish for decorative purposes.

Fees

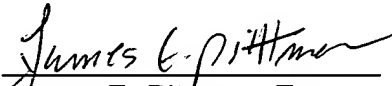
A fee of \$930.00 has been enclosed for a three month extension of time. No additional fees are believed necessary for this RESPONSE AND AMENDMENT. However,

should any fees be necessitated hereby, authorization is hereby given to charge
Deposit Account no. 11-1153 for any underpayment.

CONCLUSION

Entry of the foregoing remarks into the record of the above identified application is
respectfully requested. Withdrawal of all rejections and reconsideration of the claims is
requested. An early allowance is earnestly sought.

Respectfully submitted,


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